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5 Counsel for Defendant CORNELL MAXEY JR.

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 v.)

14 CORNELL MAXEY JR.,)

15 Defendant.)
16
17

No. CR 10-00659 DLJ

STIPULATION AND
ORDER CONTINUING REPLY &
HEARING DATE; EXCLUSION OF
TIME

18 **STIPULATION**

19 IT IS HEREBY STIPULATED, by and between the parties, that defendant Cornell Maxey Jr's
20 reply brief in support of motion to suppress evidence, currently due on April 1, 2011, may be filed
21 no later than April 15, 2011; the hearing on defendant's motion to suppress evidence, currently
22 scheduled for April 15, at 11:00 a.m. may be vacated and continued to April 29, 2011, at 11:00 a.m.

23 IT IS FURTHER STIPULATED that the time until April 29, 2011, shall be excluded in
24 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for
25 adequate preparation of counsel, and 18 U.S.C. §3161(h)(1)(D) for delay resulting from the
26

1 preparation and filing of the pretrial motion to suppress until the conclusion of the hearing.

2 DATED: 3/29/11

/s/

JOYCE LEAVITT

Assistant Federal Public Defender

4 DATED: 3/29/11

/s/

JAMES MANN

Assistant United States Attorney

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7 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
8 conformed signature (/s/) within this e-filed document.

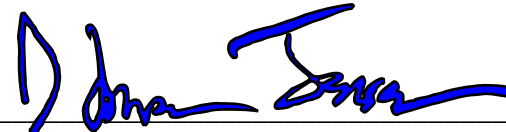
9 **ORDER**

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that defendant Cornell Maxey Jr.'s
11 reply brief in support of motion to suppress evidence may be filed no later than April 15, 2011;
12 the hearing on defendant's motion shall be continued to April 29, 2011, at 11:00 a.m.

13 IT IS FURTHER ORDERED that the time until April 29, 2011, shall be excluded in
14 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for
15 adequate preparation of counsel, and 18 U.S.C. §3161(h)(1)(D) for delay resulting from the
16 preparation and filing of the pretrial motion until the conclusion of the hearing. The Court finds that
17 the ends of justice served by the granting of the continuance outweigh the best interests of the public
18 and defendant in a speedy and public trial and failure to grant the requested continuance would
19 unreasonably deny counsel the reasonable time necessary for effective preparation, taking into
20 account due diligence.

22 SO ORDERED.

23 DATED: April 1, 2011

24 

25 HONORABLE D. LOWELL JENSEN

26 United States District Judge